

REMARKS/ARGUMENTS

Claims 33-42 remain in this application. New claims 43 and 44 have been added. Claims 43 and 44 add additional features described in the specification the specification.


Claim Rejections - Double Patenting

The Examiner has rejected 33-42 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent No. 6,973,945. The Examiner has also stated the a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) of 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory obviousness-type double patenting ground provided the conflicting patent is shown to be commonly owned with this application. Filed concurrently with the response is such a terminal disclaimer.

Additionally, new dependent claims have been added to clarify that pressure differential claims in claim 33 may be either a decrease or an increase in the pressure on the interior of the container. Support for these new claims may be found on page 13, lines 6-14 and on page 24, line 14-page 25, line 15.

The Applicant believes that the timely filing of the terminal disclaimer completely overcomes the Examiner's rejections of these claims on.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
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